

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ALVIN BALDUS, et al.,

Plaintiffs,

TAMMY BALDWIN, et al.,

Intervenor-Plaintiffs,

vs.

Case No. 11-CV-562
JPS-DPW-RMD

MICHAEL BRENNAN, et al.,

Defendants,

F. JAMES SENSENBRENNER, JR., et al.,

Intervenor-Defendants.

VOCES DE LA FRONTERA, INC., et al.,

Plaintiffs,

vs.

Case No. 11-CV-1011
JPS-DPW-RMD

MICHAEL BRENNAN, et al.,

Defendants.

**MOTIONS BY INTERVENOR-DEFENDANTS (1) FOR JUDGMENT ON THE
PLEADINGS DISMISSING ALL CLAIMS OF PLAINTIFFS' SECOND AMENDED
COMPLAINT RELATING TO 2011 WISCONSIN ACT 44, CREATING
CONGRESSIONAL DISTRICTS, AND (2) TO DISMISS ALL CLAIMS OF
INTERVENOR-PLAINTIFFS' COMPLAINT, FOR FAILURE TO STATE A CLAIM
UPON WHICH RELIEF CAN BE GRANTED
(No. 11-CV-562)**

The intervenor-defendants, F. James Sensenbrenner, Jr., Thomas E. Petri, Paul D. Ryan, Jr., Reid J. Ribble, and Sean P. Duffy, by their attorneys, Foley & Lardner LLP, Thomas L. Shriner, Jr., and Kellen C. Kasper, hereby move the Court to grant the following relief:

1. Judgment on the pleadings, pursuant to Fed. R. Civ. P. 12(c), dismissing all claims of the plaintiffs' second amended complaint (Dkt. #58) relating to 2011 Wisconsin Act 44, creating Congressional districts; and

2. An order dismissing, pursuant to Fed. R. Civ. P. 12(b)(6), all claims of the intervenor-plaintiffs' complaint (Dkt. #67), in both cases upon the ground that the pleadings in question fail to state claims upon which relief can be granted, as more fully set forth in the intervenor-defendants' supporting brief, filed herewith.

Dated this 8th day of December, 2011.

FOLEY & LARDNER LLP

s/ Thomas L. Shriner, Jr.

Thomas L. Shriner, Jr. (WBN 1015208)

Kellen C. Kasper (WBN 1081365)

FOLEY & LARDNER LLP

777 East Wisconsin Avenue

Milwaukee, Wisconsin 53202-5306

414.297.5601 (TLS)

414.297.5783 (KCK)

414.297.4900 (facsimile)

Attorneys for Intervenor-Defendants

F. James Sensenbrenner, Jr., Thomas E.

Petri, Paul D. Ryan, Jr., Reid J. Ribble, and

Sean P. Duffy